

**ORDER OF THE SUPREME COURT OF TEXAS**

**Misc Docket No. 99- 9054**

Appointment of a District Judge to Preside  
in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable James R. Wilson, Judge of the 371st District Court of Tarrant County, Texas, to preside in the Disciplinary Action styled:

**The Commission for Lawyer Discipline v. John L. Minor, Jr.**

to be filed in a District Court of Harris County, Texas.

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Harris County, Texas, a copy of this Order and of the Disciplinary Petition for filing and service pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

As ordered by the Supreme Court of Texas, in chambers,

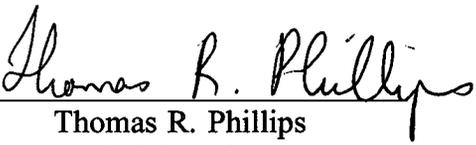
with the Seal thereof affixed at the City  
of Austin, this 11th day of March, 1999.



JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 99-9054, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 12 day of March, 1999.

  
Thomas R. Phillips  
Chief Justice

COPY

CAUSE NO. \_\_\_\_\_

COMMISSION FOR LAWYER DISCIPLINE, §	IN THE DISTRICT COURT OF
§	
Petitioner	§
	§
vs.	§
	§
JOHN L. MINOR, JR.	HARRIS COUNTY, TEXAS
	§
	§
Respondent	§
	_____ JUDICIAL DISTRICT

**ORIGINAL DISCIPLINARY PETITION**

**TO THE HONORABLE JUDGE OF THE COURT:**

COMES NOW, Petitioner, the COMMISSION FOR LAWYER DISCIPLINE, a committee of the STATE BAR OF TEXAS (hereinafter referred to as "Petitioner"), complaining of Respondent, JOHN L. MINOR, JR. (hereinafter referred to as "Respondent"), and would respectfully show unto the Court the following:

**I. DISCOVERY CONTROL PLAN**

Pursuant to Rules 190.1 and 190.2, TEXAS RULES OF CIVIL PROCEDURE (TRCP), Petitioner intends discovery in this case to be conducted under the Level 1 Discovery Control Plan. Pursuant to Rule 190.2(a)(1), TRCP, Petitioner affirmatively pleads that it seeks only monetary relief aggregating fifty thousand and no/100 dollars (\$50,000.00) or less, excluding costs, pre-judgment interest and attorney's fees.

**II. NATURE OF PROCEEDING**

Petitioner brings this disciplinary action pursuant to the STATE BAR ACT, TEXAS

GOVERNMENT CODE ANNOTATED §81.001, *et seq.* (Vernon 1988 and supp. 1994); the TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT; and the TEXAS RULES OF DISCIPLINARY PROCEDURE. The complaint that forms the basis of this *Original Disciplinary Petition* was filed on or after May 1, 1992.

### **III. VENUE**

Respondent is an attorney licensed to practice law in Texas and is a member of the STATE BAR OF TEXAS. Respondent's residence and principal place of practice is Harris County, Texas; therefore, venue is appropriate in Harris County, Texas, pursuant to Rule 3.03 of the TEXAS RULES OF DISCIPLINARY PROCEDURE. Respondent may be served at his business address, 1200 River Oaks Tower, 3730 Kirby Drive, Houston, Harris County, Texas, 77098.

### **IV. CAUSE OF ACTION**

On or about October 30, 1996, YVONNE BOYD (hereinafter referred to as "BOYD") hired Respondent to represent her in a child support matter in Cause No. 90-66319, *In the Matter of the Marriage of Wesley A. Boyd, Jr. and Yvonne T. Boyd and in the Interest of Dumasia D. Boyd and Brandon C. Boyd, Minor Children*, In the 312th Judicial District Court of Harris County, Texas. BOYD paid Respondent a retainer fee in the amount of Five Hundred and No/100 Dollars (\$500.00). Thereafter, Respondent failed to render any services to BOYD, and further failed to communicate with BOYD regarding her case.

On or about October 23, 1997, Respondent received notice of the BOYD complaint. The notice required Respondent file a written response to the allegations of professional misconduct within thirty (30) days of his receipt of said notice. Respondent wholly failed to provide a written

response. On or about October 23, 1997, Respondent also received a subpoena, which commanded him to provide a complete copy of BOYD'S client file to the Grievance Committee on or before November 11, 1997. Respondent failed to timely comply with the subpoena.

#### **V. RULE VIOLATIONS**

The acts and/or omissions of Respondent described in Paragraph IV above, which occurred on or after January 1, 1990, constitute conduct in violation of Rules **1.01(b)(1)** [a lawyer shall not neglect a legal matter]; **1.01(b)(2)** [a lawyer shall not frequently fail to carry out completely the obligations owed to a client]; **1.01(c)** [as used in this Rule "neglect" signifies inattentiveness involving a conscious disregard for the responsibilities owed to a client]; **1.03(a)** [a lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information]; and **8.04(a)(8)** [a lawyer shall not fail to timely furnish to the Chief Disciplinary Counsel's office or a district grievance committee a response or other information as required by the TEXAS RULES OF DISCIPLINARY PROCEDURE], of the TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT.

#### **VIII.**

The complaint that forms the basis of this cause of action was brought to the attention of the Office of the General Counsel of the STATE BAR OF TEXAS by YVONNE BOYD'S filing of a complaint on or about September 29, 1997.

#### **PRAYER FOR RELIEF**

**WHEREFORE, PREMISES CONSIDERED**, Petitioner, the **COMMISSION FOR LAWYER DISCIPLINE**, respectfully prays that this Court discipline Respondent, **JOHN L.**

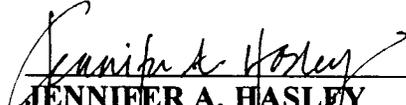
**MINOR, JR.**, by reprimand, suspension, or disbarment, as the facts shall warrant; order restitution to Complainant; and grant all other relief to which Petitioner may show itself to be justly entitled, including costs of court and attorneys' fees.

Respectfully submitted,

**STEVEN W. YOUNG**  
General Counsel

**JENNIFER A. HASLEY**  
Assistant General Counsel

**STATE BAR OF TEXAS**  
**Office of the General Counsel**  
1111 Fannin, Suite 1370  
Houston, Texas 77002  
Phone: (713) 759-6931  
Fax No.: (713) 752-2158

  
\_\_\_\_\_  
**JENNIFER A. HASLEY**  
State Bar No. 00792818

**ATTORNEYS FOR PETITIONER,  
THE COMMISSION FOR  
LAWYER DISCIPLINE**

# STATE BAR OF TEXAS



## Office of the General Counsel

February 8, 1999

John T. Adams, Clerk  
Supreme Court of Texas  
P.O. Box 12248, Capitol Station  
Austin, Texas 78711

**Re: *Commission for Lawyer Discipline v. John L. Minor, Jr.***

Dear Mr. Adams:

Enclosed please find an original and two (2) copies of Petitioner's *Original Disciplinary Petition* being filed by the Commission for Lawyer Discipline against John L. Minor, Jr. Mr. Minor has designated Harris County, Texas, as his principal place of practice. Request is hereby made that the Court appoint an active District Judge who does not reside in the Administrative Judicial Region in which Respondent resides to preside in this case. Upon appointment, request is made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

John L. Minor, Jr.  
1200 River Oaks Tower  
3730 Kirby Drive  
Houston, Texas 77098.

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to: (1) whether he or she will be able to comply with the 180 day deadline by which the case must be set for trial set forth in Section 3.07 of the TEXAS RULES OF DISCIPLINARY PROCEDURE; and (2) whether he or she can accommodate compliance with Mellon Service Co., et al v. Touche Ross Co., 946 S.W.2d 862 (Tex. App. - Houston [14th Dist.] 1997), which requires that all proceedings incident to a case occur in the county of proper venue. If not, I would respectfully request that an alternate appointment be made.

Once a trial judge has been appointed, please forward the original and two (2) copies of the *Original Disciplinary Petition*, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Harris County, Texas, with the request that the suit be filed, service be obtained, and a file-marked copy of the petition be returned to the undersigned.

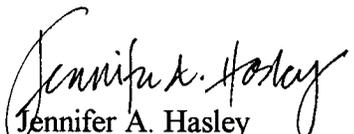
Mr. John Adams  
Clerk of the Supreme Court  
February 8, 1999  
Page 2

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Also enclosed are a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Harris County, Texas, and a return envelope to be sent to the District Clerk of Harris County, Texas, for the Clerk's use in returning a file-marked copy of the Petition to the undersigned.

Thank you for your courtesies in this matter.

Sincerely,

  
Jennifer A. Hasley  
Assistant General Counsel

JAH/sml  
Enclosures

J:\MINOR\CFLD1.JAH\CORRESPAC\_ADAMS.01



## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK  
JOHN T. ADAMS

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T  
JIM HUTCHESON

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

JUSTICES  
NATHAN L. HECHT  
CRAIG T. ENOCH  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT  
DEBORAH G. HANKINSON  
HARRIET O'NEILL  
ALBERTO R. GONZALES

MAR 23 1999

The Honorable Charles Bacarisse  
District Clerk of Harris County  
P.O. Box 4651  
Houston, Texas 77002

Dear Mr. Bacarisse:

Pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure, I am sending for filing State Bar of Texas Disciplinary Action styled: *The Commission for Lawyer Discipline v. John L. Minor, Jr.* and a copy of the Supreme Court's order appointing the Honorable James R. Wilson, Judge of the 371<sup>st</sup> District Court, Fort Worth, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams  
Clerk

cc: Honorable James R. Wilson  
Ms. Jennifer A. Hasley  
Mr. Michael W. Johnson  
Ms. Melissa Dartez



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HARRIET O'NEILL  
ALBERTO R. GONZALES

MAR 23 1999

Ms. Jennifer A. Hasley  
Assistant General Counsel, State Bar of Texas  
1111 Fannin, Suite 1370  
Houston, Texas 77002

Mr. John L. Minor, Jr.  
1200 River Oaks Tower  
3730 Kirby Drive  
Houston, Texas 77098

Dear Ms. Hasley and Mr. Minor:

Pursuant to Rule 3.02 of the Texas Rules of Disciplinary Procedure, I hereby notify you that the Supreme Court of Texas has appointed the Honorable James R. Wilson, Judge of the 371<sup>st</sup> District Court, Fort Worth, Texas to preside in

*Commission for Lawyer Discipline v. John L. Minor, Jr.*

Sincerely,

SIGNED

John T. Adams  
Clerk



## THE SUPREME COURT OF TEXAS

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THOMAS R. PHILLIPS

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ALBERTO R. GONZALES

MAR 23 1999

Honorable James R. Wilson  
Judge, 371<sup>st</sup> District Court  
401 W. Belknap Street  
Fort Worth, Texas 76196-0225

Dear Judge Wilson:

We enclose for your information a copy of the order of assignment, a copy of the Disciplinary Action, a copy of the notification letter to Mr. Minor and Ms. Hasley, and a copy of the letter to the District Clerk of Harris County.

It is recommended that, six to eight weeks after receipt of this letter, you contact the Harris County District Court Administrative Office (713-755-7593) to find out the district court to which this disciplinary case has been assigned. We then recommend that, either before or immediately after you set the case for trial, you again contact the Harris County District Court Administrative Office (713-755-6593) to reserve a courtroom, provide for a court reporter, etc. Finally, you should contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned (713-471-3911) to obtain information on lodging, allowable expenses, and claims forms for your expenses incident to presiding over this disciplinary case.

Sincerely,

SIGNED

John T. Adams  
Clerk